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THE REALIZATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Promoting the right to development in the context of the United Nations Decade for the Elimination of Poverty (1997-2006)

Report of the Secretary-General submitted in accordance with Sub-Commission resolution 1999/9

Introduction

1. In its resolution 1999/9 of 25 August 1999, the Sub-Commission on the Promotion and Protection of Human Rights recalling its resolution 1996/22 and decision 1998/105, in which it requested the Secretary-General to invite all relevant United Nations bodies and agencies to step up their action aimed at promoting international cooperation for the realization of the right to development in the context of the United Nations Decade for the Elimination of Poverty (1997-2006), and to provide him with information thereon, requested the Secretary-General to transmit annually to the Sub-Commission the information received.

2. The Commission on Human Rights, particularly in the context of various mandates on economic, social and cultural rights, has paid growing attention to the issue of poverty through the realization of the right to development. For example, both the independent expert on the right to development and the independent expert on human rights and extreme poverty have underlined the strong relationship between the realization of the right to development and

poverty eradication (see E/CN.4/1999/WG.18/2 and E/CN.4/2000/52). Further, in Commission resolution 2000/12 the Working Group on the Right to Development was invited to take into account the report of the independent expert on human rights and extreme poverty in its deliberations.

3. At the Special Dialogue on Poverty and the Enjoyment of Human Rights, held on 12 April 2000 during the fifth-sixth session of the Commission on Human Rights, the High Commissioner for Human Rights noted that a rights-based approach to development ensures that the human dimension is not lost in developing strategies to reduce poverty. Further, she stated that a rights-based approach to development is grass roots, all encompassing, preventive and supportive of States trying to combat poverty.

4. Development, poverty eradication and United Nations development cooperation have all been addressed by the Office of the High Commissioner for Human Rights in its work programme. The Office has placed the promotion of the right to development at the centre of its poverty-related strategies, plans, policies and operational activities. Promoting the right to development, furthering consensus on the requirements for its implementation, reducing the politicization that has surrounded it in international discourse, and working for its realization for all peoples are priority goals for the Office.

5. OHCHR has provided substantive and organizational support to the open-ended Working Group on the Right to Development, the independent expert on the right to development and also to the other development-related mandates of the Commission of Human Rights, including the independent expert on human rights and extreme poverty, the Special Rapporteur on foreign debt and the independent expert on structural adjustment and the Special Rapporteur on the right to education. Pursuant to newly established mandates in 2000, the Office will also support the Special Rapporteurs on adequate housing and on the right to food, as well as the newly appointed independent expert on the effects of structural adjustment policies and foreign debt in the full realization of all human rights.

6. OHCHR has organized regional seminars and workshops on the right to development most recently the inter-sessional Workshop on Economic, Social and Cultural Rights and the Right to Development in the Asia-Pacific region held in Sana'a in February 2000. OHCHR is currently preparing also the organization of an expert seminar to consider a possible declaration of human rights and extreme poverty (Commission resolution 2000/12).

7. Through the servicing of treaty-based bodies, OHCHR contributes to the realization of the right to development and the alleviation of poverty to supporting the human rights convenants and conventions and monitoring their implementation, including by providing support for the reporting process, the preparation of general comments, and constructive dialogues between States parties and the Committees on matters relating to poverty and development. In particular, the general comments and concluding observations adopted by the Committee on Economic, Social and Cultural Rights take increasingly into account the question of poverty eradication. Economic, social and cultural rights are recognized by the Committee as a key vehicle by which economically and socially mariginalized people, especially women and children, can lift themselves out of poverty and obtain the means to participate fully in their communities.

8. At the inter-agency level, OHCHR works to strengthen cooperation for development and poverty eradication within the United Nations system and facilitates the integration of the elements of the right to development into the programmes and policies of United Nations development agencies and programmes, inter alia the ongoing work of the United Nations Development Group (UNDG) - especially the recent UN Strategy for Halving Extreme Poverty by 2015 and its "Framework for Action", in which OHCHR participates actively; the United Nations Development Assistance Framework (UNDAF) and the Common Country Assessment (CCA); the World Bank comprehensive development framework (CDF) and poverty reduction strategy paper (PRSP) initiatives; and the high-level intergovernmental event on financing for development, to be convened by the Organization in 2001 in accordance with General Assembly resolution 54/196.

United Nations Development Programme

9. Substantive information received from UNDP is summarized as follows.

10. UNDP's activities focus on sustainable human development and poverty eradication as a contribution to the realization of the right to development. Following the Secretary-General's programme of reform, including the integration of human rights in all United Nations activities, UNDP took steps to define its role and support the promotion of the realization of human rights, in particular the right to development.

11. In 1998, UNDP published a policy document entitled "Integrating Human Rights with Sustainable Human Development, in which it was stressed that by working to eradicate poverty and by supporting the antipoverty capacity of Governments and civil society organizations, UNDP is fostering the implementation of the right to development.

12. A memorandum of understanding was signed by UNDP and OHCHR on 4 March 1998, which dedicates the first section of its operational annex to joint efforts for the promotion of the right to development. A number of activities are taking place to implement this commitment.

13. UNDP is providing substantive inputs and comments to the study of the independent expert on the right to development. UNDP is also following the discussions in the open-ended Working Group on the Right to Development.

14. UNDP is developing its in-house capacity in human rights and sustainable human development by training its staff. During 1999, four regional training workshops were organized jointly by OHCHR and UNDP for UNDP resident representatives/resident coordinators and respective government officials for the Asian-Pacific region (Sri Lanka), the west and central African region (Cote d'Ivoire), the east and southern African region (Namibia), and the eastern Europe and Commonwealth of Independent States region (Kazakhstan). In that regard, UNDP has contributed to the UNDG training module on human rights for UNDAF teams, which was developed in the Ad Hoc Group on the Right to Development. A comprehensive training manual on human rights for UNDP staff is being piloted through the experiences of the regional workshops.

15. In 1999 UNDP, in collaboration with the Arab Organization for Human Rights and OHCHR, held a seminar on human rights and development in Cairo. The seminar adopted an agenda for the realization of the right to development in the Arab States. UNDP is involved in the joint efforts to implement this agenda.

16. The joint UNDP/OHCHR Human Rights Strengthening programme (HRIST) is a global initiative to support selected UNDP country office pilot exercises integrating human rights, including the right to development, in the focus areas of UNDP development programmes.

17. In August 1999, UNDP published the Survey of UNDP Activities in Human Rights. The survey concludes that "as the UN's principal development arm, UNDP's primary objective is poverty eradication. Consequently, virtually all of its efforts in some way attempt to advance human dignity and promote equity though attacking the systemic root causes of poverty." In the last UNDP report on poverty (Overcoming Human Poverty, 2000), UNDP recognized that in several cases poverty eradication projects have called the attention of national decision-makers to human rights abuses, discrimination in employment, land tenure conflicts and the needs of indigenous groups. UNDP recognized also that in many areas, implementing the law would require capacity-building, institutional strengthening and technical advice. Thus, it has emphasized, for example, the training of community leaders to provide better local participation by civil society.

18. The forthcoming Human Development Report 2000 (29 June 2000) is dedicated to the question of human rights and human development. The report looks at human rights as an intrinsic part of development and development as a means to realizing human rights. The report calls for stronger international action to, inter alia, combat poverty not just as a development goal, but also as a central challenge for human rights.